Supreme Court, U.S.
FILED

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No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1995

THE PEOPLE OF THE sTATE OF GEORGIA
EX REL Charles Ronald., Gray,
Petitioner,

v.

ELEVENTH CIRCUIT COURT OF APPEALS,
UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF GEORGIA,
DE FACTO UNITED STATES OF AMERICA,
Respondents.

ON PETITION FOR A COMMON LAW
WRIT OF CERTIORARI
IN THE NATURE OF A CRIMINAL COMPLAINT
TO THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

PETITION FOR A COMMON LAW WRIT OF CERTIORARI IN THE NATURE OF A CRIMINAL COMPLAINT

THE PEOPLE OF THE sTATE OF GEORGIA
EX REL Charles Ronald., Gray, Proper Party
PRIVATE ATTORNEY GENERAL
#43857-019 WITHOUT PREJUDICE
P.O. BOX 150160
LAKEWOOD STATION
ATLANTA 15, GEORGIA ZIP EXEMPT

QUESTIONS PRESENTED

I - WHETHER THE CONDUCT OF THE DE FACTO GOVERNMENT, ITS AGENTS AND THE BELOW COURTS WAS SO EGREGIOUSLY CRIMINAL AS TO WARRANT THE EVOKING OF THE SUPERVISORY POWERS OF THE SUPREME COURT AND THE OVERTURNING OF THE ILLEGALLY OBTAINED CONVICTION OF THE PETITIONER?

II - CAN COURT BE USED TO INDUCE PETITIONER INTO FURTHER CRIMINAL ACTIVITY?

CERTIFICATE OF INTERESTED PARTIES

Alexander, Kent
Allen, Gary R.
Anderson, Curtis
Andrews, Gary B.
Axelrod, Jeffrey
Baker, Karen Lynn
Barrett, Jackie
Bauers, Michael
Beasley, Dorothy Toth
Bell, Eldrin
Benham, Robert
Bentsen, Lloyd
Bernak, Lori
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Birdson, A.W. Jr.
Black, Fnu
Blackburn, Alan
Boyce, E.
Brady, Nicholas
B.O.N.D. Community Federal Credit Union
Buckhead Movers
Budzinski, Walt
Bywater, Gordon E.
Caldwell, Daniel A. III
Camp, Jack T.
Carley, Georgia
Carnes, Julie
Chairez, Don P.
Chancey, Allen L.
City of Atlanta
Clark, Drennan
Clarke, Harold G.
Claxton Printing Company
Cleland, Max

Cohen, Jan S.
Collins, Leah Sears
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Coombs, Harry
Cooper, Clarence
Crowe, Billie
CKC Associates
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Daniels, William
Dearing, Jo
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District Court of U.S. Atlanta, GA
District Court of U.S. Las Vegas
Doughterty, John E.
Dubina, FNU
Dubowsky, Pter
Duclos, David E.
Edmondson, J.L.
Eldridge, Frank
Evans, Orinda
Federal Reserve Bank of Atlanta
Feldman, Joel M.
Fleming, Lawrence
Forbes, Quintella
Fox, Robert
Gates, Lee
Geeslin, Georga
George, Lloyd D.
Gerald, Donna
Goldmans-Sachs
Goss, William
Griffith, Dorothy
Gullion, James
Guntenhauser, Monty
Hagen, David W.
Hall, Robert H.

Hicks, Juanita
Highnote, Tracey
Hinchman, Herbert R.
Holley, Kenneth
Hunstein, Carol
Hunt, Nina L.
Hunt, William R.
Hutton, Michael Louis
Hyer, Mary B.
International Bank for Reconstruction & Development
International Monetary Fund
Interpol
Jackson, Maynard
Johnson, Edward
Johnson, Sam
Jones, Carol N.
Kaminshine, Amy
Kim, Henry C.
Kingdom of Hawai'i
King, Robert R.
Klein, Garry Wade
Knauss, Kathy
Kuhn-Loeb
Kummer, Thomas F.
Landreth, Kathryn E.
Langway, Richard
Lazard Freres
Lehman Brothers
Lenhard, Kirk B.
Linn, Carter
Lloyd, William F.
Lomax, Michael
Mahas, Bud
Malan, Douglas P.
Margolis, Alisha R.
McKibbon, Howard D.

McMahon, Brian
McMichael, Robert A. II
McMurray, William Leroy Jr.
Miller, Zell
Morgan, J.P., Family Trust
Morris, Dale
Moye, Charles A. Jr.
Murphy, Tom
NationsBank of Georgia, NA
Nelson, Cedrick
Nelson, John
Nevada State Bank
O'Kelley, William C.
Perrine, Teresa Ann
Paup, Michael L.
Pierson, Wayne E.
Pope, Marion T. Jr.
Pro, Phillip
Remington Homes
Richmond American Homes of Nevada
Rockefeller Family of New York
Ross, Kenneth
Rothschild Family of Europe
Scann, Susan Williams
Scott, Willie
Shoob, Marvin
Skinner, Kenneth
Singleton, Alvenia P.
Slaton, Lewis
Smith, J.E.
Smith, Ron
Spencer, Gary
Sprinkel, Stephen S.
Stanley, George
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Stewart, Denval A.

Stewart, Theodore
Stock, Fred
Stokes, Sharon D.
Strother, John R.
Stuckey, Lisa F.
Sullivan, John M.
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The People of the State of Georgia, Ex Rel Charles Ronald., Gray
The People of the State of Nevada, Ex Rel Robert Kahre
Tidwell, Ernest G.
Thornton, John L.
Tucker, Cathy
Tupper, Kenneth
United Construction Company
Vineyard, Russell G.
Vinings, Robert L. Jr.
Walling Robert H.
Warburg Family of Germany
Ward, Horace, D.
Whitley, Joe D.
Whittier Homes
Wilcove, Michael J.
Williams, Paul
Wofford, Terry
Ziebarth, Sylvester

This is to certify that the above list is a complete list to the best of my ability of the trial judge(s), all attorneys, persons, associations of persons, firms, partnerships, corporations that have an interest in the outcome of this particular case and includes known subsidiaries, conglomerates, affiliates and parent corporations to the best of accused's abilities, and other identifiable legal entities related to a party that is involved in the above-referenced case. Done this 16th day of September in the year of our Lord and Savior Jesus Christ, nineteen hundred ninety six.

Charles Ronald Gray
#43857-019 w/o prejudice
PRIVATE ATTORNEY GENERAL
state of Georgia
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Atlanta 15, Georgia Zip Exempt

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OPINIONS BELOW

The opinion of the Court of Appeals was not reported. The unpublished opinion of both the Appeal denial and the denial of Rehearing or Suggestion for Rehearing En Banc appear in Appendix A in this Petition.

JURISDICTION

The Supreme Court's jurisdiction is invoked under Title 28 U.S.C. § 1254. In Petitioner's seminal case, Charles Ronald Gray, qui tam the People of the State of Georgia v. Nicholas Brady, Governor of the International Monetary Fund, original jurisdiction laid with the Supreme Court of the United States at Article III, § 2, ¶ 2. Petitioner chose the Superior Court of Fulton County, Georgia under the theory of forum conveniens. The jurisdiction of the United States District Court has been challenged. The court refused to answer any jurisdictional challenges and refused to answer specific allegations that jurisdiction did not lie in the United States District Court. The United States in and through its AUSA refused to address the issue in any meaningful way and said fraud was allowed by the court.

The Supreme Court has jurisdiction because the Petitioner has no other adequate remedy or access to justice, and a gross injustice will be achieved and condone should this be denied. The basic issues at hand are ripe for adjudication to prevent further miscarriages of justice and resulting consequences.

Title 28 has two venues: within and without the United States. Petitioner is WITHIN the United States as he is being held at the Federal Penitentiary in Atlanta, Georgia.

STATUTES INVOLVED

18 U.S.C. § 1503. Influencing or injuring officer or juror generally

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any grand or petit juror, or officer in or of any court of the United States, or officer who may be serving at any examination or other proceeding before any United States commissioner or other committing magistrate, in the discharge of his duty, or injures any such grand or petit juror in his person or property on account of any verdict or indictment assented to be him, or on account of his being or having been such juror, or injures any such officer, commissioner, or other committing magistrate in his person or property on account of the performance of his official duties, or corruptly or by threats or force, or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

26 U.S.C. § 7212a Attempts to interfere with administration of internal revenue laws

(a) **Corrupt or forcible interference.** - Whoever corruptly or by force or threats of force (including any threatening letter or communication) endeavors to intimidate or impede any officer or employee of the United States acting in a official capacity under this title, or in any other way corruptly or by force or threats of force (including any threatening letter or communication) obstructs or impedes, or endeavors to obstruct or impede, the due administration of this title, shall, upon conviction thereof, be fined not more than $5,000, or imprisoned not more than 3 years, or both, except that if the offense is committed only by threats of force, the person

convicted thereof shall be fined not more than $3,000, or imprisoned not more than 1 year, or both. The term "threats of force," as used in this subsection, means threats of bodily harm to the officer or employee of the United States or to a member of his family.

ENTREATY

Petitioner Gray qui tam the People of the state of Georgia comes before this court with this entreaty to the one Supreme Court of the United States and states the following as being truthful, and done in good faith:

Petitioner is being held in involuntary servitude in violation of the Thirteenth Amendment to the Constitution. In order to impede the Petitioner's access to the court the Bureau of Prisons under the direction of the United States Attorney's Office has systematically denied the Petitioner legal access to the court by disallowing him adequate legal materials, inadequate time to prepare legal work (less than 9 hours allowed to prepare this petition), adequate typing equipment, harassing the Petitioner for his legal materials denying use of typewriters, removing petitioner's legal pleadings, and systematically on a periodic basis, rummaging through, removing, and disheveling the papers of the Petitioner. This obstruction includes removing court rules.

Petitioner was not duly convicted in the instant case as required by the Constitution due to the crimes and conspiracies of the government agents. The entire case is infected with a fatal irregularity: the privies to the government's charges are all "agents of the government" who unlawfully control the court systems the Petitioner has been forced to endure.

Hoping to terminate the immediate action, employees of the Bureau of Prisons through the United States Attorney's Office attempted to have the Petitioner murdered on the night of October 26, 1995, (or at the least severely maimed). Said

scheme failed when the Bureau of Prisons S.O.R.T. (Special Operations Response Team) Terror Group mistakenly identified the wrong person as being the Petitioner and beat him half to death, rendering him unconscious. Petitioner filed a criminal complaint into the biased United States District Court concerning the event to no avail.

Petitioner entreats the court to interpret his Petition for a Common Law Writ of Certiorari in the Nature of a Criminal complaint in light of his severe impairment and in light of the opposing individual's interests in the outcome of the case. The magnitude of the gross frauds perpetrated is due to the privies to the counts of the indictment having control over the "administration of justice" in the USDC for Northern Georgia and the Eleventh Circuit Court of Appeals.

Petitioner has no other adequate remedy since the privies to the Plaintiff's case control total access to the courts – and have clearly shown that they will absolutely deny the Petitioner a remedy at all cost.

The courts involved have treated the decisions of the Supreme Court that the Petitioner relied on with contempt and in total disregard to their oaths to support the Constitution for the United States. They have presented themselves as being unaccountable to anyone on the issues, thereby placing themselves above the law. This fraud is most clearly evidenced by their nonexistent responses to the pleadings of the Petitioner.

Petitioner entreats the court to grant him his Petition for a Common Law Writ of Certiorari in the Nature of a Criminal Complaint, evoking its supervisory power over the gross irregularities manifest in the corrupt justice system existing in Atlanta, Georgia.

STATEMENT OF THE CASE

Petitioners, Charles Ronald Gray, qui tam the People of the State of Georgia, respectfully pray that a writ of certiorari issue to review the affirmed judgment and opinion of the United States Court of Appeals for the Eleventh Circuit, which refused to address the Petitioner's issues of 1) Whether the United States District Court had jurisdiction in a case styled Charles Ronald Gray, qui tam the People of the State of Georgia vs. Nicholas Brady, Governor of the International Monetary Fund et al.? [The Sentence is void because the United States District Court lacked subject matter jurisdiction and knowingly proceeded in fraud of law]; 2) Did the Plaintiff (the United States) obstruct justice in order to implement the prosecution?; 3) Whether the indictment was invalid as constituting an abuse of grand jury process?; 4) Whether the conviction should be vacated since court refused to allow the defendant to present a defense and shifted burden of proof to the defendant? 5) Whether conviction should be vacated due to gross corruption of trial court Judge Horace Ward who severely prejudiced the defense of the accused by the court's jury charges?, and other issues presented but not argued due to space limitations.

FACTS

The United States District Court for the Northern District of Georgia did not have jurisdiction of the case pursuant to 18 U.S. C. 3231 which states:

> The district courts of the United States shall have original jurisdiction exclusive of the courts of the States, of all offenses against the laws of the United States.
>
> **Nothing in this title shall be held to take away or impair the jurisdictions of the courts of the several States under the laws thereof.**

The Plaintiffs, United States District Court, the Eleventh Circuit Court of appeals have all refused to address the issue of jurisdiction (subject matter, personal, venue or otherwise) or to state affirmatively on the record any basis for their jurisdiction. Petitioner, being forced to take on the onus probandi of the issue of jurisdiction pled into the record jurisdictional challenges and laws of the United States clearly indicating that the United States District Court did not have jurisdiction with no response from the otherside. Part of Appendix II of the Petitioner's Appeal covers the issue of this lack of jurisdiction. The United States District court refused to respond to the challenges of jurisdiction; the Court of Appeals would not address the issue except to say it was moot, and the issue had no merit. (Refer to Appeal Answer Appendix A-1). The Supreme Court has clearly state that once jurisdiction is challenged it must be proved.

In late 1991, early 1992, Petitioner Charles Ronald., Gray, carried on a lengthy one-sided correspondence with the Internal Revenue Service through one of its agents Teresa Ann Perrine working in the Atlanta, Georgia area. Agent Perrine refused to answer the certified letters the Petitioner sent concerning an alleged tax liability (entered as evidence in the below case in the United States District Court). These letters were sent in belief that the law required Perrine to answer any assertions she was making. Perrine eventually alleged the Petitioner owed a debt of approximately thirty thousand dollars.

Agent Perrine entered a perjured affidavit (refer to Appeal at page 22-23 for the specific perjury the agent committed) into the United States District Court in order to obtain a writ of entry. Magistrate Judge Joel Feldman signed a writ of entry to a business of the Petitioner's but lacked jurisdiction over the matter (no assessment being made as required by law at Treasury Regulation § 301.6203.1, no levy as required by law, and no jurisdiction over the Petitioner who was not liable for any taxes). This matter was tendered to the Magis-

trate by Sharon Douglas Stokes, AUSA who knew or should have known the document was a fraud.

Agent Perrine and other agents seized approximately $600,000 of petitioner's assets at gunpoint. Said assets were quickly dissipated due to the negligence of Agent Perrine. The IRS seizure was made on April 6, 1992, timed for the April 15, 1992 show the IRS usually puts on to intimidate the American public. At the time of the seizure, Agent Perrine, was a trainee, improperly trained and incompetent in her activities. The IRS through its Agent Perrine and others refused to answer or address any of the Petitioner's correspondence. Petitioner sent a request for Administrative Remedy Relief to various individuals (Nicholas Brady, then Secretary of the Treasury/ Governor of the International Monetary Fund, Attorney General William Barr and a host of others) to no avail. Petitioner filed approximately 3500 pages of documentation into the United States District Court for Northern Georgia, titled, "Declaration of Cause and Necessity" with supporting Brandeis Brief. Court refused to answer.

Petitioner then, because of the failure of the government to address his needs, entered civil suit against the perpetrators of the fraud. Petitioner filed a common law action into the Superior Court of Fulton County styled: Charles Ronald Gray, qui tam the People of the State of Georgia vs. Nicholas Brady, Governor of the International Monetary Fund, The International Monetary Fund et al. (including: Agent Teresa Ann Perrine, Magistrate Judge Joel Feldman, and AUSA Sharon Douglas Stokes who had perpetrated the fraud against the Petitioner). Petitioner filed liens to support his action.

The U.S. Attorney's Office improperly and fraudulently removed the above-styled case to the United States District Court for Northern Georgia through its AUSA Amy Berne Kaminshine. Kaminshine fraudulently altered the styled of the case from Gray qui tam the People of the State of Georgia vs. Nicholas Brady, Governor of the International Monetary Fund to Gray vs. the United States without explanation for

this transformation. Gray qui tam immediately filed a plea in abatement. District court Judge Marvin Shoob, usurping jurisdiction, summarily dismissed the case for "lack of jurisdiction." The Plea in Abatement went unanswered.

Once the United States Attorney's Office mistakenly assumed that the civil action was finalized (Gray qui tam, supra) and laid to rest, AUSA Richard Langway (for his liened superior – Joe D. Whitley AUSA) and Theodore Stewart (for his sued superior – Paul Williams – District Director of the IRS) in April 1993, under disguise as the "United States" entered civil suit against Petitioner Gray and the County Clerks of the State of Georgia where the liens had been filed. Judge William C. O'Kelley presided over this case in the United States District court for Northern Georgia. Gray qui tam objected stating that O'Kelley had no jurisdiction over Common Law Liens/Writs of Attachment/Writs of Escheats filed in the Superior Court records office in the various counties of Georgia; that it was usurpation, a violation of his oath of office and a felony. O'Kelley saw no need to explain himself.

Immediately following the Show Cause Hearing in the above case (U.S.A. v. Gray et al, 1-93-cv-650WCO, U.S.D.C. for N. Georgia) AUSA Richard Langway and again with Agent Theodore Stewart allegedly went before the Grand Jury of the United States District Court for Northern Georgia, and in a very well rehearsed scheme, presented a twisted and completely convoluted scenario of what the Petitioner (no mention of the qui tam action) had done, and to the prejudice of the Petitioner got a six count indictment based on filing the Common Law Liens/Writs of Attachment, Writs of Escheat on four charges of the Obstruction of the Due Administration of Justice (18 U.S.C. 1503) and two charges for obstruction the Due Administration of the revenue laws. (26 U.S.C. 7212 (a)). All done in fraud of law and fact.

Upon being arraigned, Private Attorney General Charles

Ronald., Gray complying with Supreme Court rulings, immediately challenged the jurisdiction of the tribunal but was ignored when he did so. Petitioner Gray, stood mute, entered no plea, and the Magistrate Judge refused to entertain the question of jurisdiction as required by law.

Private Attorney General Charles Ronald., Gray filed several Bills of Particulars attempting to find out what revenue laws he had attempted to obstruct, what due administration of justice he was attempting to obstruct, and a definition of what he had done that was "corrupt." Gray was denied a defense since he could never understand the vague charges and the plaintiff never had to answer. The United States Attorney's Office used the vague charges as a conundrum to ignore the Petitioner's request for clarification, and obviously realized that the charges were a hysteron proteron and could be utilized to obstruct justice in the instant case by keeping the Petitioner at bay from ever finding out the gravaman of the issue – where the IRS got jurisdiction from in the very first instant. The jurisdiction of the IRS was void ab initio. The IRS, nor its agent ever answered the challenges of jurisdiction.

The Petitioner filed many challenges of jurisdiction throughout the case, believing that previous rulings concerning jurisdiction by the Supreme Court would be honored by the District Court. When Petitioner Gray came to believe the proceedings were in Admiralty, Gray challenged the court for conducting a proceeding in Admiralty and not having jurisdiction. The Court ordered the United States to produce any contract that would create a nexus of jursidiction. The Plaintiff, United States refused to respond. Later, during the trial, the trial court judge chastised the Petitioner in referring to the Constitution and threatened contempt charges should he bring up the Constitution again. Petitioner was left with an unclear sense of what the jurisdiction was and the nature of the charges.

The very nearest answer the Petitioner got concerning the issue of jurisdiction was from the trial court judge who stated

that he had "assumed jurisdiction."

The Petitioner on three occasions demanded that the trial court judge due to financial interests in the case, conflicts of interest, one being that his immediate superior was a privy to the government's action (Docket Entries 44, 47, 131 of USDC 1-93-CR-188) recuse himself. The Judge not only refused to recuse himself but did so each time with no explanation as required by law.

Prior to trial the Court ordered the Petitioner Gray to produce an outline of his defense and had him present it in open court. The United States was not required to do the same.

The trial court judge also ordered the Petitioner to produce into the court all evidence that he was going to use in his defense. Petitioner entered approximately 3500 pages of evidence to be used (and served a copy on the United States Attorney's office). After having filed all his evidence in the court, when the Petitioner referenced the evidence, the trial court judge made the statement that he was not letting anyone go through four or five boxes of materials that he did not think was relevant. [Refer to proffered testimony of John B. Nelson, General Advocate Liaison of the Kingdom of Hawai'i, 1-93-CR-188, Vol. 3, Docket Entry of August 10, 1994, pp. 10-11], effectively denying the Petitioner a defense.

In order to maintain his jurisdictional challenge, the Petitioner, foregoed going to trial with a lawyer, knowing that a lawyer was an officer of the court and a jurisdictional challenge could not be maintained using a Bar Attorney.

On the first day of the trial, (1-93-CR-188, Docket Entry 101), the Petitioner gave Notice of Interlocutory Appeal based on the issue of jurisdiction. The court proceeded without commenting on the issue as required by law. Months after the trial, this Interlocutory Appeal based on jurisdiction was denied as MOOT by the prejudiced Eleventh Circuit Court of Appeals, obviously aiding and abetting the trial court's lack of jurisdiction.

Trial court systematically denied all of the petitioner's witnesses, effectively continuing the removal of the defense of the accused.

The trial judge in giving the jury charges to the jury, refused to give any of the Petitioner's jury charges. The charge given by the court violated every fair trial rule that the judge could violate in an obvious attempt to obstruct justice and conceal the criminal activity of his confederates. The jury charges given by the trial court, in light of the facts and law, could receive an award for not only giving an example of exactly what you are not supposed to do, but similarly rewarded for being a classic example of an egregious attempt to obstruct the due administration of justice by perpetrating a fraud from the bench.

The testimony of the Petitioner's chief witness was impaired due to machine failure during transcription. Approximately ten days before the Petitioner was to be incarcerated, the court recorder, after approximately fifty prompts, produced a mutilated transcript of approximately twenty pages. The Petitioner had the record corrected, the United States did not respond within the ten day time period as required by law, defaulting and obviously agreeing the record was correct. The court many months later (approximately 10) corruptly denied such correction of the record.

After jury deliberation, the Petitioner was found guilty of all counts and months later sentenced. Petitioner was denied allocution because the court did not have time.

Petitioner filed a Motion for Arrest in Judgement. Petitioner was of the mistaken belief that the matter of a decision of a trial judge in a motion in arrest was not a matter of discretion, but a matter of right. The trial court denied his motion in the trial court's predictable manner with one word and no explanation to jurisdiction.

Petitioner was sentenced to thirty-three months incarceration [in the instant case slavery/bondage since the whole proceeding was a fraud and sham]. Petitioner filed a timely

Notice of Appeal. Approximately one year later, the prejudiced United States District Court announced the record was ready to be sent up on appeal, said appeal arriving short of a number of documents: Petitioner's jury charges, his evidence ordered produced (at docket entry 100 - 3500 hundred pages) and other materials. When the Court of Appeals sent notice to the Petitioner he had fourteen days pursuant to Fed. R. App. R. 10(e) to review the record for completeness, the Respondent's agent the Bureau of Prisons absolutely refused his access to the court, thus guaranteeing the fraud of the United States Attorney's Office. The only explanation given for the denial of one of the issues of the Petitioner's Appeal was that the record was not complete. Obviously, the Bureau of Prisons was part of the ongoing scam of the United States Attorney's Office. Petitioner filed a NOTICE OF IMPAIRMENT protesting said refusal to allow the Petitioner to check the record for completeness. Of course, the U.S. Attorney's Office did nothing as required by law to assist, but continued to coverup this felony.

After Petitioner's record was sent up on appeal, he filed a pleading into the Eleventh Circuit Court of Appeals (#94-8732) titled "Petition for Change of Appeal Venue." This pleading was filed on July 17, 1995, and DENIED as usual, without comment on August 15, 1995. Petitioner filed the Petition for Change of Venue since there could be no appearance of justice since one of the privies to the counts was an appeal judge at times and scheduled to become a full time appeal judge (William C. O'Kelley) and most of the other members of the below court who were privies to the counts of the indictment were obviously cohorts of the above. The Eleventh Circuit Court had perpetrated a fraud against the Petitioner by denying his Interlocutory Appeal as Moot (completely ignoring the issue of jurisdiction in order to perpetrate and conceal the fraud of the United States District Courts and its usurpers). The Eleventh Circuit Court had also denied the Petitioner's Writ of Prohibition – of course with-

out requiring the trial judge to answer, and of course without responding with over one word. (Referenced is made to Corces v. U.S., 95-1206 currently in the Supreme Court complaining about the Eleventh Circuit's unpublished opinion rule, Rule 36-1, which allows the Eleventh Circuit to perpetrate frauds, not do its duty as required by law, and reference is also made to Petitioner's Petition for Rehearing or Suggestion for Rehearing En Banc at pages 5, and 7 quoting from the case In Re Acker, 696 F. Supp 591, describing the aberrant behavior of the Eleventh Circuit, and Amadeo v. Zant, 100 1. Ed. 2d 149, the Supreme Court concerning the competency of the Eleventh Circuit). The Eleventh Circuit has been adamant in its concealment of the illegal activities of the United States District Court of Northern Georgia and its agents; this clearly shown in its one word negative responses.

The Petitioner filed a timely appeal from the United States District Court's criminal activity. The AUSA Richard Langway (earlier had went to the Grad Jury to fraudulently obtain the indictment) filed a sham answer for a reply into the Eleventh Circuit stating that the Petitioner's issues had no merit. The AUSA in the appeal admitted that the prosecutorial misconduct was not that "egregious." the AUSA also stated that the Petitioner was wrong in his interpretation of the work "justice," and that it had nothing to do with the concept of rightness or fairness. (See appeal at pages 29 and 34, Government Brief). Government's appeal Brief was nothing more than a regurgitation of what the Petitioner had claimed as error, and then a statement that it had no merit. The Appeal was designed to obstruct the due administration of justice and to perpetrate a fraud on the Petitioner.

The Appeals Court on the 4th of April, 1996, in an unpublished opinion stated that Petitioner's claims were without merit, and none worthy of discussion. It also stated that the record was not complete. (See Appendix 1-A).

Petitioner filed a Petition for Rehearing and Suggestion

of Rehearing en Banc which was denied on June 18, 1996, as usual without comment. Petitioner had presented the following topic for discussion:

> WHETHER A FRAUD WAS PERPETRATED FROM THE BENCH ON THE APPELLANT WHEN THE BIASED OFFICERS OF THIS COURT REFUSED TO CHANGE VENUE OF THE CASE AND MADE A DETERMINATION THAT WAS WITHOUT MERIT, CONTRARY TO LAW AND FACTS, ALL THE WHILE CONSPIRING TO CONCEAL, AID AND ABET THE CRIMINALITY OF MEMBERS OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA AND OTHER INDIVIDUALS IN THEIR EGREGIOUS EFFORTS TO OBSTRUCT JUSTICE?

Petitioner timely files this his Petition for Common Law Writ of Certiorari in the Nature of a Criminal Complaint to the one Supreme Court of the United States.

Petitioner is without adequate remedy elsewhere. The proceedings are infected with a fatal irregularity rendering them absolutely void: the United States District Court proceeded without jurisdiction and refused to address the issue, the privies to the case are all "employees" of the United States District Court where the sham-biased proceedings took place, and the judge that heard the case was biased and prejudiced (being an associate of the judges that were privies to the action, **a structural defect that could not have been harmless**). The United States District Court had no jurisdiction over the issues involved, Respondents were required by law to prove jurisdiction, they never defended the challenge(s) of jurisdiction, and there is no evidence to negate claims of the Petitioner.

The issues brought before the Supreme Court are complex, the central issue that a fraud was perpetrated from the bench due to the actors having vested interest in the outcome of the case is due reason for the Supreme Court to evoke its supervisory powers over this flagrant and egregious attempt to obstruct justice.

SUMMARY OF THE ARGUMENTS

Below courts perpetrated an egregious fraud from the bench. Petitioner qui tam was in a Constitutionally protected right when he used Common Law Liens/Writs of Attachments/Writs of Escheats on individuals impersonating employees of the United States who were well outside the scope of their duties, the Laws and Constitution of the United States and their Oaths of Offices to support the Constitution of the United States while perpetrating their crimes. Their authority was challenged, specific allegations concerning their illegal activity was presented but never answered. The courts helped perpetrate the frauds by their active involvement in attempting to conceal it.

Not only was their an egregious attempt to coverup their ongoing frauds but an active thrust through the court system to force the Petitioner to help maintain their frauds.

ARGUMENT WITH CITATIONS OF AUTHORITIES

I WHETHER THE CONDUCT OF THE GOVERNMENT, ITS AGENTS AND THE BELOW COURTS WAS SO EGREGIOUSLY CRIMINAL AS TO WARRANT THE EVOKING OF THE SUPERVISORY POWERS OF THE SUPREME COURT?

Rule 10.1(a) of the Rules of the Supreme Court under subject title of "Consideration Governing Review on Writ of Certiorari" states as one reason that certiorari may be granted:

> "When a United States court of appeals...has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's power of supervision."

Petitioner, The People of the State of Georgia, qui tam

Charles Ronald., Gray will show that the proceedings of the lower courts were infected with fatal irregularities, criminally contrary to law, the Petitioner has no adequate remedy elsewhere, and that it is the court's duty in this aberrant situation to step in, exercise it s supervisory power (although discretionary), support the Constitution (and oaths taken to defend) in order to ensure the accountability that is necessary to prevent the further occurrence of such transmogrified justice.

Tantamount to understanding the instant case is an ab initio understanding of who the players in the U.S,A.'s case were. [United States v. Charles R. Gray, 1-93-CR-188 HTW, United States District Court for the Northern District of Georgia]. The Counts of the indictment involved Common Law Liens/Writs of Attachments/Writs of Escheat placed on the property of the following: [Count 1] United States Magistrate Court Judge Joel Feldman; [Count 2] United States Assistant Attorney Sharon Douglas Stokes; [Count 3] Agent for the International Monetary Fund/IRS Teresa Ann Perrine; [Count 4] United States Assistant Attorney Amy B. Kaminshine; [Count 5] United States District Court Judge Marvin M. Shoob; and [Count 6] United States District Court Judge William C. O'Kelley.

The Government and its agents should be held to a high standard of behavior. The celebrated dissenting passage of Justice Brandeis in Olmstead v. United States (1928), 277 U.S. 438, 485 is to be noted concerning this standard:

> Decency, security, and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizens. In a government of laws, existence of the government will be imperilled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law

> unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the mean - to declare that the government may commit crimes in order to secure the conviction of a private criminal - would bring terrible retribution. Against that pernicious doctrine this court should resolutely set its face.

In the district court case below, the Government and its confederates relentlessly engaged in criminal activity to cover up and conceal the criminal activity and civil liability of the individuals that had been sued by the Petitioner qui tam in the State of Georgia. In United States v. Archer, 486 F. 2d 670, 670 (Second Circuit, 1973) the point is made that "government may not engage in unlimited involvement in crime for the sake of apprehending criminals."

The United States through its lawyers and its courts (District and Appeals Courts) adamantly in its star-chamber style refused to answer, address or acknowledge any of Appellant's contentions making the ruling of the Supreme Court in Hutto v. Davis, 454 U.S. 370 pitifully meaningless:

> "A precedent of the United States Supreme Court must be followed by the lower federal courts no matter how misguided the judges of those courts may think it be." Hutto at page 558;

and the Supreme Court's ruling in Felton v. United States, 96 U.S. 699 at 709 as equally trite and misleading:

> "[the law]...is not so unreasonable as to attach culpability, and consequently to impose a punishment, where there is no intention to evade its provision."

The outrageous conduct of the Respondents and its confederates will be shown in the instant case to have been stretched to unbelievable limits. The D.C. circuit in 1995 [Moore v. Valder, 65 F 3rd 189] upheld similar outrageous behavior of the United States Attorney. Among the allegations against Valder, the United States Attorney, were that he coerced witnesses into changing their testimony, concealed

evidence of Moore's innocence, did not present to the grand jury exculpatory evidence, and leaked grand jury information to third parties. The district court granted AUSA Valder absolute immunity on all claims. Valder did not have the desperation of AUSA Langway in the case sub judice.

With the word "justice" no longer having any meaning that the general public would understand, with the rulings of the Supreme Court being ignored, with laws appearing to be deliberately made unclear ("subjectification"), the intention of the law in this case has been supplanted by nothing more than sedition by syntax.

The Petitioner qui tam presents the following examples of the criminal activity the Respondents used to gain an unlawful conviction of the Petitioner:

A - THE COURT PROCEEDED WITHOUT JURISDICTION AND REFUSED TO ADDRESS THE ISSUE OF JURISDICTION AS REPEATEDLY RULED NECESSARY BY THE SUPREME COURT.

The United States District Court, a court of limited jurisdiction and enumerated powers, was without jurisdiction to hear the case. The Petitioner challenged jurisdiction in the first instant during arraignment on May 14, 1993. [Complete transcript of arraignment, vol 6, filed on 6/3/93]. Said challenge went unanswered. "Lack of jurisdiction over the person is waived if not presented before a plea to the indictment or information. Dowdell v. United States (1911) 221 U.S. 325 at 332.

"A plea to the jurisdiction must precede the plea of not guilty. Such a plea was not filed. The effect of the failure to file it was to waive the question of the jurisdiction of the persons of the defendants." Ford v. United States (1927) 273 U.S. 593. The Petitioner never waived jurisdiction over his person, and challenged each appearance in court, and on the record, with no adequate responses.

Lack of jurisdiction over the subject matter cannot be waived. The district court for many reasons did not have

jurisdiction over the subject matter of the case "Charles Ronald Gray, qui tam the people of the State of Georgia v. Nicholas Brady, Governor of the International Monetray Fund, et al. Pursuant to the Constitution at Article III, § 2 ¶ 2 original jurisdiction lies in the Supreme Court. Pursuant to 28 U.S.C. 1349, pursuant to 28 U.S.C. 1359, (Parties collusively joined or made), it is forbidden to entertain it in the United States District Court. This issue was presented in detail in the District Court and in this Petitioner's Appeal (Appendix 1 - approximately 28 pages). The Government refused to entertain or prove the issue at anytime. The nearest the corrupt United States Attorney would come was to cite part of 18 U.S.C. 3231, leaving off the arguments the Petitioner presented. 18 U.S.C. § 3231 clearly states:

> The district courts of the United States shall have original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States.
>
> Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

Paragraph two of the above was never responded to by the Respondents.

The Supreme Court's rulings throughout the years on the issue, "Once Jurisdiction is challenged it must be proven" was totally ignored. The Court of Appeals stated in its findings that the issue was "without merit." (See Appendix I). Again Hutto v. Davis's (supra) direction to the lower courts is held to be meaningless. Jurisdiction once challenged cannot be assumed to exist, but must be proved. (Hagans v. Lavine, 415 U.S. 533, n. 5; Monell v. N.Y. 435 U.S. at 633, U.S. v. More, 3 Cr. 159, 172) the burden of proof being upon the person (eg. USA) asserting the jurisdiction (McNutt v. GMAC, 298 U.S. 178; Thomson v. Gaskeil, 83 L. Ed. 11, Basso v. UP, 495 F. 2d 906; Rosemound v. Lambert, 469 F. 2d 416; Griffin v. Matt., 310 F. Supp. 341, affd. 432 F. 2d

272. Jurisdiction can be challenged at any time (Brady v. Richardson, 18 Ind. 1; Bialack v. Harsh, USCA 1972, USS Ct. 1973), all acts of such a forum or court in WANT of jurisdiction being void.

The USA and the United States District Court 1) had no jurisdiction over the person, venue or subject matter of the issues involved, 2) were required by law to prove jurisdiction, 3) never defended the challenges of jurisdiction and 4) there is no evidence to negate claims of the Petitioner.

The Respondent's entire case is predicated on the activities of the Internal Revenue Service, well known for its use of borderline terroristic activities. The instant case is predicated on the I.R.S. being in the due administration of the revenue laws (26 U.S.C. 7212 (a)). The government failed to answer any jurisdictional challenges or inquiries as to what revenue law was being administered, Title 26 U.S.C. 7212 (a) has never been promulgated to give the Petitioner notice as it was promulgated under the BATF Title 27 to give notice for excise taxes, which do not pertain to the Petitioner in the instant case.

Petitioner cannot be dragged into criminal court on Title 26 because Congress has never granted criminal jurisdiction concerning civil violations of Title 26 of the United States Codes.

The Constitution of the United States is a grant of limited powers to the Federal Government. In 1812 the Supreme Court stated, "The legislative authority of the Union must make an act a crime, affix a punishment to it, and declare the Court that shall have jurisdiction. Certain implied powers must necessarily result to the Courts of Justice from the nature of their institution. But jurisdiction of crimes against the state is not among those powers." U.S. v. Hudson, 11 U.S. 7, (1812). It is necessary for the Federal Court's creator, Congress to specifically designate as a crime, acts of mission or acts, affix a penalty, and specify or create a court to exercise jurisdiction.

No "Act of Congress" conferring jurisdiction has ever

been passed concerning violations of USC 26. Congress went to the trouble to grant civil jurisdiction via 28 U.S.C. 1340. But because of the far greater penalties involved in criminal charges versus civil charges, it is far more important for Congress to spell out in detail the jurisdiction involving any charge that is claimed to criminal in nature. Early in our history (1799) a comment was made on this aspect of this problem:

"If Congress has given the power to this court, we possess it, not otherwise; and if Congress has not given the power to us, or to any other court, it sill remains at the legislative disposal." Turner v. Bank of Carolina, 4 Dall 8, 10 (1799).

Jurisdiction over violations (other than civil) of USC 26 is still at legislative disposal.

It is not the duty of the Petitioner to take on the obligation of the U.S. Attorney's Office, District Court or others to prove that they do not have jurisdiction. This method of conduct was ruled out many years ago. "The jurisdiction of this court is not prima facie general, but special. (b) A man must assign a good reason for coming here. If the true fact is denied, upon which he grounds his right to come here, he must prove it. He, therefore, is the actor in the proof; and consequently, he has no rights, where the point is contested, to throw the onus probandi on the defendant." Maxfield's Lessee v. Levy (1), 4 U.S. 330 (1797).

The Federal District courts have not been granted the power to adjudicate civil statutes in criminal court cases. Petitioner concedes that the federal courts have jurisdiction over civil cases via USC 28, sec. 1340. But Criminal - no.

The United States has stated its jurisdiction comes from 18 U.S.C. 3231 (a), not addressing the second paragraph (b) which determines the issue at hand. Regardless of this point, the gravaman of the issues, which all the other counts rely on is based on 26 U.S.C. 7212 (a) and the Petitioner denies that this grant of jurisdiction extends to Title 26.

Apparently, The U.S. Attorney relies solely on 18 U.S.C. 3231. Petitioner is of the opinion that his alleged reliance is built on a foundation of sand (a hysteron proteron-deceptive technique). Under 18 U.S.C. Annotated we find "History: Ancillary Laws and Directives" and under this heading we find the following quote: "This section was formed by combining former 18 U.S.C. Paragraph 546 & 547 with former USC Paragraph 588f, with no change of substance." The words "no change of substance" means that the essence of the statute remains as before. Let us see what the statute was before.

Paragraph 546 Title 18 (1940 Edition) states:

"The crimes and offenses defined "in this title" refer to Title 18. They are restricted words that limit the jurisdiction to only those crimes listed herein. This language is anything but "unequivocal" as claimed by Respondent's attorney. Petitioner will phrase this in syllogistic form:

Major premises: 18 U.S.C. 3231 grants jurisdiction only over those crimes listed in 18 U.S.C., to district courts.

Minor premise: But the alleged crime in this case is not listed in 18 U.S.C.

Therefore: The district courts do not have jurisdiction over the alleged crimes in this case.

Furthermore, if Respondent's attorney claims that the language was "unequivocal" then it would be unnecessary to itemize other jurisdiction issues. Yet we find in Title 18, 1940 Edition, the following situations over which Congress felt it necessary to specify or enumerate the jurisdiction: 3723 regarding forfeiture, 3744 regarding suits to collect taxes, 3746, regarding suits for erroneous refund and 3800 granting jurisdiction to issue orders, processes and judgments.

Petitioner wishes to point out that the Supreme Court said soon after our nation was founded (1812) that Congress "...must declare the court that shall have jurisdiction of the offense." U.S. v. Hudson, 11 U.S.7. And the word "declare"

is defined in Webster's Dictionary of 1828 "To make a declaration to proclaim or avow one's opinion or resolution in favor or in opposition; to make known explicitly some determinations." And Congress has not made known explicitly what court, if any, is to have jurisdiction over crimes supported by non-criminal statutes. Plaintiff's attorney may conclude that all the various Supreme Courts were unaware that Article III, Section 2, Paragraph I stated: The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States..." Petitioner asks, if all the Supreme Courts over 140 years are unanimous in the opinion that jurisdiction has to be specifically stated in writing, why should that policy be different today? The obvious answer is that the subject of jurisdiction is the same today as it was upon our nation's founding. Jurisdiction once challenged cannot be assumed to exist, but must be proved (Hagans, supra, Monell, supra, U.S. v. More, supra), the burden of proof being upon the person asserting the jurisdiction (McNutt v. GMAC, supra, Thomson, supra, Basso, supra, Rosemound, supra, Griffin, supra). Jurisdiction can be challenged at any time (Brady, supra, Bialack, supra), and all acts of such a forum or court in WANT of jurisdiction being completely void and not just voidable. (Sandes v. Sheriff, 200 NYS 9). The United States District Court and its confederates proceeded criminally in order to perpetrate a fraud from the bench and conceal the crimes and civil violations of its coconspirators.

Consider the following quoted form United States v. Lopez, 131 L Ed 2d 626 (1995), where the Great Chief Justice John Marshall made clear in his famous decisions of New York v. Milne 36 U.S. (11 Pet.) 102 (1837) and People v. Godfrey, 17 Johns, 225 N.Y. 1819) that the federal government is prohibited by the Constitution from assuming any police power within a state. The following excerpt from Godrey is clear:

"To oust this State of its jurisdictional support and main-

tain its laws, and to punish crimes, it must be shown that an offense committed within the acknowledged limits of the state, is clearly and exclusively cognizable by the laws and courts of the United States...to bring the offense within the jurisdiction of the courts of the union, it must have been committed out of the jurisdiction of any state: it is not the offense committed, but the place in which it is committed, which must be out of the jurisdiction of the state." (17 Johns., at 233).

B - THE PRESENTATIONS TO THE GRAND JURY BY THE AUSA AND INTERNAL REVENUE AGENT WERE A SHAM, TOTALLY CORRUPT, AND IN VIOLATION OF THEIR OATHS OF OFFICE (PERJURY 18 U.S.C. 1621); 18 U.S.C. 1512 (TAMPERING WITH A WITNESS, VICTIM, OR AN INFORMANT); 18 U.S.C. 1503 (OBSTRUCTION THE DUE ADMINISTRATION OF JUSTICE); 42 U.S.C. 1983 (CIVIL RIGHTS VIOLATION); 42 U.S.C. 1985 (CONSPIRACY TO VIOLATE THE CIVIL RIGHTS OF PETITIONER); 42 U.S.C. 1986 (ACTION FOR FAILURE TO NEGLECT TO PREVENT), MISPRISON OF FELONY (18 U.S.C. 4); 18 U.S.C. § 1583 (ENTICEMENT INTO SLAVERY); AND OTHERS: CONSPIRACY, AIDING AND ABETTING AN ARMED ROBBERY AND ALL CRIMES COMPLAINED OF IN THE PETITIONER'S CASE IN FULTON COUNTY GEORGIA.

The Government in its Brief filed in the United States Court of Appeals on or about 9/27/95, states on page 29 that the record does not show any egregious prosecutorial misconduct...or any actual prejudice, and that the defendant's unsupported claims of prosecutorial misconduct in the grand jury setting fall far short of the kind of egregious conduct that would warrant a departure from the harmless error inquiry described in rule 52 (a).

The Supreme Court's seminal case Bank of Nova Scotia

v. U.S.'s 101 L. Ed. 2, 228 (1988), description of the prosecutorial misconduct pales (pure Pollyanna and her grandmother) compared with the blatant, egregious criminal conduct of the corrupt AUSA Richard Langway and IRS Agent Theodore Stewart's intentional, well rehearsed manipulative scheme before the Grand Jury. The Grand Jury in Bank of Nova Scotia, supra, investigated the crime for approximately twenty months, and the part complained of was a small isolated immaterial incident. The petitioner Gray qui tam in the instant case has complained of a totally sham Grand Jury proceeding that only totalled a little over twelve typewritten pages. The two witnesses for the USA, IRS Agent Stewart, and AUSA Langway (inappropriately testifying) did the whole rubber-stamp procedure and perpetrated the fraud in about thirty minutes, at the most. During that period of time, the corrupt AUSA Langway and IRS Agent Stewart managed to cram more fraud into that short period of time than is believable. The part of the testimony where the AUSA testified, was not made available to the Petitioner, even after lengthy demands and a Petition for Mandamus. Petitioner subpoenaed the AUSA to testify concerning his criminal conduct during the Grand Jury...court of course refused to open this can of worms. The part deleted directly concerned USA star witness Chief Judge William C. O'Kelley's testimony presented at the criminal trial. The intentional deletion was to cover up grounds for a mistrial, and the impeachment of O'Kelley's testimony.

The egregious criminal behavior of the AUSA and IRS Agent during the brief time before the Grand Jury (there is no proof the Grand Jury ever met - and the responses of the AUSA for the cover sheet, composition of jury and other specific things would indicate that the proceedings were never held. The lack of any credible jury responses during the alleged proceeding would also indicate that the proceedings were never held. There is no court accountability at to whether proceedings were held or not held.) show the follow-

ing frauds that occurred and are discussed in the Petitioner's Appeal Brief:

[The following comes from Section III of the Petitioner's Appeal Brief titled, "WHETHER THE INDICTMENT IS INVALID AS CONSTITUTING AN ABUSE OF THE GRAND JURY PROCESS?]:

a) The Grand Jury was not independent or informed as required by law because both witnesses that testified before the Grand Jury [AUSA Langway and IRS Agent Stewart] were prejudiced and biased because their respective immediate superiors were both part of the law suit in the Fulton County Georgia Superior Court. (Joe D. Whitley, AUSA and Paul Williams, District Director of the IRS). This critical fact was held from the Grand Jury intentionally.

b) Although there were thousands of pages that the Petitioner had filed into the United States District court for Northern Georgia, including copies of the Common Law Liens/Writs of Attachments/Writs of Escheat, the AUSA and the IRS Agent purposedly engineered the entire Grand Jury proceedings with only verbal evidence, not one piece of paper was shown to the jurors...including the gravamans of the complaint - the liens! (The liens were common law criminal complaints, each eleven pages long with a Memorandum of Law).

c) The Prosecutor concealed exculpatory information that would have directly effected the outcome of the Grand Jury, to wit: that the true party in interest in the case at hand was not the alleged defendant Charles Ronald Gray, but that the true party at interest in a qui tam action is the state and in the instant case, the State of Georgia. The AUSA concealed from the jury that it was a "Private Attorney General (qui tam) Action," and had been sanctioned by the Officials of the State of Georgia. The AUSA hid from the jury the fact that the Petitioner qui tam had filed a civil action stating that the IRS Agent Teresa Ann Perrine had presented a perjured affidavit to the court to obtain her Writ of Entry to steal the Petitioner's

property. The AUSA corruptly concealed the Petitioner's side of the story to the Grand Jury in order to perpetrate a fraud both in fact and law. d) The Prosecutor violated his Constitutional Role (Perjury - having taken an Oath to Support the Constitution) having an independent duty to seek justice even when it may have hurt his case. The AUSA's main scheme and design was to coverup the criminal activities of his immediate superior Joe D. Whitley, Chief United States Attorney, who was a defendant in the civil case in Fulton County, charged with aiding and abetting the basic fraud of Teresa Ann Perrine, IRS Agent/Criminal. The jury was fraudulently kept uninformed that AUSA Langway's superior Whitley was a defendant in the state case and, also had a Common Law Lien/Writ of Attachment/Writ of Escheat on his property and that Whitley had initiated the action before the Grand Jury. Whitley purposely did not name himself as a privy to one of the charges so the Grand Jury would not suspect his prejudice, bias and criminal involvement in the activity.

e) The Government witness IRS Agent Theodore Stewart committed perjury one time after another: (Page 9 of the Grand Jury transcript) in order to inflame the Grand Jury he stated that the Petitioner had placed a lien on Judge William C. O'Kelley's house because O'Kelley was a friend of the judges involved in the case; Stewart presented perjured testimony (in concert with AUSA) when he stated the activity of the IRS was lawful; he presented perjured testimony when he stated that the IRS had done an assessment on the Petitioner; he presented perjured testimony when he stated that the Petitioner had failed to file his tax returns, all in concert with the corrupt AUSA and all material to the issue at hand. Nothing that the witness Stewart said concerning any material issue was true. Agent Stewart presented perjured testimony when he stated to the Grand Jury who the parties to the state action were, in order to deceive them. Stewart presented perjured testimony when he stated the Petitioner's intent.

This total sham proceeding was engineered through the corrupt United States' Attorneys Office with the main player being AUSA Whitley through his Agent AUSA Richard Langway.

All evidence presented to the Grand Jury was hearsay when the privies to the indictment were within a few feet of the grand jury room; the elements of the crimes were never mentioned to the Grand Jury, neither were they covered in the Grand Jury proceeding; the prosecutor corruptly testified before the Grand Jury, did not recuse himself as required by the law, and helped present inflammatory false testimony to the Grand Jury over and over again.

Pages six to forty of the Petitioner's Appeal goes into great detail concerning the fraud that was perpetrated on the Grand Jury by the corrupt United States Attorney's Office and the corrupt IRS Agent Theodore Stewart.

The amount of criminal activity to perpetrate a fraud on the Grand Jury in the twelve plus pages of the Grand Jury transcript (criminal activity per line) is enough to make one want to puke. Just the ideal that the United States Attorney's Office believed that they could get by with it is indicative of the extent of the corruption in the United States Attorney's Office, the District Court and its condoner, the Eleventh Circuit Court of Appeals.

C - THE TRIAL COURT JUDGE PERPETRATED A FRAUD FROM THE BENCH BY DEVISING AND IMPLEMENTING A SCHEME TO DENY THE PETITIONER A PRESENTATION OF A DEFENSE.

The trial court in order to obstruct justice perpetrated the above-referenced fraud in the following manner [this is covered in detail on pages 40-44 in the Appeal Brief of the Petitioner]: On February 18, 1994, prior to trial (USDC 1-93-CR-188 U.S. v. Gray) the trial court judge ordered the Petitioner (at Vol. 3, Docket Entry 95) to produce all of his evidence that he was going to use at trial into the court. On February 25, 1994 (Friday before Monday Morning Court -

recorded in the court records at Vol. 3, Docket Entry 100) the unsuspecting Petitioner filed approximately 3500 pages of evidence into the Court, directly as a result of the Court's Order of 2/18/94.

At trial during the proffered testimony of Petitioner's chief witness John Nelson [Reference Nelson Testimony, Vol. 10, Docket Entry of 8/10/94, pp. 10-11] the court in refusing said evidence, and denying that the court had ordered its production, stated the following

"I don't let nobody go through four or five boxes of evidence unless I think they are relevant." [sic]

By denying the Petitioner to use his evidence, which he had ordered the Petitioner to produce, then denied that he had ordered its production, the trial court judge engineered a direct method to deny the Petition a presentation of his defense.

Oddly these four or five boxes of evidence (7,000 pages in actually two boxes - that were located in an antechamber room of the court during the trial and entered into the court as Docket Entry #100) were removed from the records of the court when the record was sent up on appeal, thus hiding from the Appeals Court this material evidence. Corrupt AUSA in Respondent's Appeal denies the evidence ever existed.

This legerdemain into tricking the Petitioner to forego his defense is a due process violation and a violation of the Court Judge's Oath of Office and obviously only served the purpose of impairing the defense of the Petitioner. The United States Attorney's Office through its corrupt AUSA Richard Langway, violated the law by standing by and colluding with the court in its passive acceptance of the fraud. The court did not order the USA to produce its evidence, thus impairing the defense of the Petitioner. This was no more than a deliberate attempt to obstruct justice (18 U.S.C. 1503) in the case at hand and a fraud perpetrated from the bench.

D - THE JURY CHARGES GIVEN WERE TOTALLY DESIGNED TO OBSTRUCT THE DUE ADMINISTRATION OF JUSTICE.

The district court's prejudice and corruption are clearly shown in the jury charges given. The Petitioner demanded that the USDC Judge, Horace Ward recuse himself because of his obvious bias and the inherent nature of his bias (presiding over a case where his immediate superior was a privy to the Plaintiff's action, his cohorts even though not on trial, were on trial, and the case concerned the ongoing criminal activity of the United States District Court for Northern Georgia.) Numerous times the court's have stated that justice must have the appearance of justice. Obviously in this case any reasonable person would have questioned the trial court judge, presiding over a case where the question of the due administration of justice of his immediate superior and confederates was the issue at hand. Only a fool would have been deceived in this situation, and an homaged jury. "Trying a defendant before a biased judge is a Constitutional defect that is inevitably harmful." Chapman v. California, (1967) 386 U.S. 18. Never, did the Court, address the issue of recusal with more than one word.

The Petitioner's Appeal Argument Number Five-CONVICTION SHOULD BE VACATED DUE TO GROSS CORRUPTION OF TRIAL COURT JUDGE HORACE WARD WHO SEVERELY PREJUDICED THE DEFENSE OF THE ACCUSED BY COURT'S JURY CHARGES at page 45 of his Appeal goes into detail on the aberrant criminal behavior of the court: He systematically and criminally mislead the jury in order to direct the verdict by:

1. Usurping the fact finding role of the jury by directing the verdict on the elements of the crime;
2. Expanding the definitions of the crime by changing the key elements;

3. Lying to the jury concerning the key points of the defense of the accused;
4. Prejudicing the accused's defense by refusing to give the accused's requested jury charges;
5. Confusing the jury by manipulating the meanings of critical words.

The Court Judge, in order to protect his confederates, privies to the Government's action, perpetrated a fraud from the bench on the jury with the jury charges, which were cleverly designed to obstruct justice.

The Petitioner does not complain about the error of one charge, but a systematic, designed, egregious deceptive manipulation of all the material points of the jury charges.

The Petitioner's proffered jury charges were removed from the record immediately after he filed his appeal on August 17, 1995. The Docket Entry on the record clearly shows that on August 25, 1995, (Docket Entry 107) the entry was edited. It was changed from showing that is was the Petitioner's Jury Charges to showing that it was the Plaintiff's AUSA Jury Charges. Petitioner had written at great length in his Appeal on his jury charges that were not given. He submitted his Appeal on August 17, 1995, and sent a copy to the AUSA as required by law. Obviously when the AUSA Richard Langway received his copy of the Appeal, he immediately read it and made a quick trip to the next floor Office of the Clerk of the Court and had the Docket and record mutilated/doctored in his favor. No one else would have known to do this except the United States Attorney. To mutilate/doctor a court record is a fraud and in violation of 18 U.S.C. 2071 (fine of $2,000, or imprisoned not more than three years, or both and **forfeiture of office and disqualification from holding any office under the United States.**)

The Petitioner discusses the fraud the court perpetrated from the bench in great detail in the Petitioner's Appeal on pages 45 to 55 of his Appeal.

The court corruptly removed the element of intent from

the jury's consideration; refused to explain the defense of the Petitioner but summed it up in a completely fraudulent way (page reference page 40 of Appeal Brief), and directed the verdict on the issue of "the due administration of justice," which has been directly forbidden numerous times by the Supreme Court (The elements of the crime go to the jury. In Re Winship, (1970) 397 U.S. 358). The District Court Judge violated his oath of office when he perjured himself by stating to the jury (who were under oath to follow his instruction of the law) that there was no such thing as a qui tam action in the State of Georgia. This instruction given in spite of the fact that a number of qui tam actions were shown to the jury. He refused to given any of the Petitioner's jury charges and did not have charges to the jury that would compensate for the jury charges not given. The Court, intentionally corrupt in its actions, systematically worked with the United States Attorney's Office to make sure the Petitioner did not receive his due process rights, but to guarantee to coverup the criminal activities of his confederates. The court even ask for permission from the AUSA whether to allow the testimony of proffered witness John Nelson, General Advocate Liaison for the Kingdom of Hawai'i. (Discussed in Appeal, with cites).

The jury charges are so full of taint, that the question becomes, "how did the Court expect to get away with this amount of criminality unless it was assured somehow that the above Appeals Court would condone its criminal activities?" Clearly, because the jury charges were so rotten, the trial court judge knew the limb that he had stepped way out on would hold, perhaps because his immediate superior William C. O'Kelley, privy to the action also, often sat on the Eleventh Circuit Court of Appeals (earlier in the instant case in a disciplinary hearing concerning the frauds of Magistrate Judge John R. Strother in the district court case. The disciplinary hearing on Strother was also a sham and a coverup).

The Petitioner wrote his Appeal Argument concerning the

jury charges in the form of a criminal complaint, to put the Eleventh Circuit of Appeals on Notice pursuant to 18 U.S.C. 4 (Misprision of Felony) and 42 U.S.C. 1986 (Action for Failure to Neglect to Prevent, 18 U.S.C. 1621 (Perjury - Violation of Oaths of Office) and conspiracy to coverup the criminal activity of the United States District Court for Northern Georgia.

E. THE COURT AND THE PLAINTIFF'S PRIVIES TO THE CASE WERE SO DESPERATE NOT TO LOOSE THE CASE BECAUSE OF THEIR INVOLVEMENT, THAT THE WHOLE PROCEEDING WAS INFECTED WITH THEIR OUTRAGEOUS FRAUDS.

The only way of explaining the outrageous amount of irregularities that infected the trial proceedings and were brought up in the District Court and again in the Appeals Court was the serious consequences to the privies to the action, both criminally and civilly should the perpetration of the frauds be exposed and them held accountable. Reference is made to Petitioner's Petition for Rehearing or Suggestion for Rehearing En Banc filed on April 24, 1996, at page x - a list of issues that the Petitioner was unable to cover due to lack of space that had been also brought up in his Appeal because of lack of space:

1. Court refused to inform the accused of the nature and cause of the charges;
2. Court would never state what jurisdiction it was proceeding under;
3. Proceedings were believed to be in Admiralty (court ordered the United States to produce any contract giving a nexus of jurisdiction - it was never produced.);
4. Magistrated did not have jurisdiction to hear case;
5. Interlocutory Appeal divested court of jurisdiction;
6. Defendant was refused allocution;

7. Proceedings violated the Double Jeopardy Clause of the Constitution since the USA charged the Petitioner with almost exactly the same charges in case 1-93-CV-650 heard by privy to action - USA witness Judge William C. O'Kelley;
8. Petitioner was not allowed a complete defense because he did not know what the predicate offense was (What IRS law he had supposedly tried to obstruct?);
9. Counts Two and Three (26 USC 7212(a)) are not back by Treasury Enforcement Regulations that give legal force and effect to the alleged code section violated by the accused. 26 USC 7212 (a) has never been promulgated to apply to the Petitioner;
10. No jury can ever give a fair trial to an American Citizen when the IRS is involved because of their well known reputation character for retaliation. No servant or slave of Respondent's can sit on a jury. United States v. Griffith et al. 2F. 2d 925;
11. Sentence was incorrectly enhanced for "government employees" being involved. IRS are not government employees, neither are federal judges government employees but belong to the independent judiciary. (Reference Cromlin v. United States, 177 F.2d 275.) Obviously, they can be anybody they want to be, at whatever time it is convenient;
12. Judge Horace Ward admitted during the testimony of John Nelson that the court proceedings were under the control of the United States Attorney's Office when he asked permission of the AUSA Richard Langway to continue the testimony of Petitioner's star witness - John Nelson (vol. 10, page 20, Testimony of Nelson). Abridgement nullified the proceeding;
13. Sentence should have been vacated since testimony of star witness John Nelson was mysteriously impaired by machine failure;

14. Sentence should be reversed because the Petitioner was involved in a Constitutionally guaranteed right. (Liening the property of individual's involved in treason for forfeiture to the state. Petitioner was acting in capacity of Private Attorney General of the state of Georgia, which was condoned and known by State Officials.);
15. Respondent USA admitted it was not involved in the due administration of justice because of its failure to respond to the testimony of Petitioner's Chief Witness John Nelson pursuant to F.R.A.P. 10 (c) (Vol. 4, entry 154) and during court.
16. Plaintiff clearly showed the IRS was not in the due administration of any revenue law, since the sine qua non of the whole affair, an Assessment, as required by law, could never be produced into evidence. (Refer to trail evidence);

F - THE DISTRICT COURT CLERK'S OFFICE THROUGH THE AUSA MUTILATED THE RECORD ON MATERIAL MATTERS BEFORE IT WAS SENT UP ON APPEAL.

The Petitioner was refused permission by the Bureau of Prisons (believed in conspiracy with the United States Attorney's Office) to go to the United States Court of Appeals to assure that the record was complete. The record was mutilated to meet the needs of the United States Attorney's Office and the USA. Mutilated and removed from the court records were: the Petitioner's evidence entered at docket entry 100 approximately seven thousand pages; the Petitioner's jury charges entered at docket entry 107 were removed most likely on the edit date of 8/25/95, which Petitioner was given notice of on October 19, 1995; the testimony of John B. Nelson, proffered on 3/07/94 was mutilated and entered into the record on 8/10/94. Docket Entry 152 shows Petition to Correct the Record filed by Petitioner on 8/22/94. Petitioner has no way of knowing how

much more of his record has been mutilated since he was refused time to go check the record, and the Bureau of Prisons through its corrupt representative Q. Forbes had denied the Petitioner access to his legal records. AUSA's Appeal Brief is full of the contention "there is nothing in the record to support defendant's position." Obviously indicating he did a good job at mutilating the record.

G - THE PETITIONER IS THE VICTIM IN THE INSTANT ACTION OF THE CORRUPT UNITED STATES ATTORNEY'S OFFICE, ITS CONFEDERATES AND THE CORRUPT COURT SYSTEMS, AND WAS ENGAGED IN GOOD FAITH IN A CONSTITUTIONALLY PROTECTED RIGHT.

Petitioner Charles Ronald., Gray acting in position of Private Attorney General (qui tam) used the Supreme Court's rulings for the actions he took. When it was obvious to him that the frauds that were perpetrated on him by the IRS through its corrupt agent Teresa Ann Perrine were not going to be addressed (Petitioner had notified the United States Attorney's Office, local Sheriff's Office, the Mayor of Atlanta, the County Commissioner and everyone that had a responsibility by law to help him in an armed robbery and the other frauds perpetrated by Teresa Ann Perrine and her gang of thugs) he commenced a common law action against this corruption and filed it in the Superior Court of Fulton County, Georgia. The Petitioner relied on the Supreme Court's rulings in the following cases: Chelentis vs. Luckenbach Steamship Company, 247 U.S. 371 (1918), liens used for illegal removal of assets out of country; Kempe's Lessee v. Kennedy, 9 U.S. 173, state can prosecute for treason; C.J. Hendry Co. v. Moore, 318 U.S. 133 (1943), qui tam actions and state proceeding in Admiralty [also Toucey v. New York Life Insurance Co. 314 U.S. 188 (1941)] Constitution at Article III, § 3, § 2, Constitution at Amendments IX and X, Common Law Liens/Writs of Attachment/Writs of Escheat use based on: 27 Am. Jur. 2d Ed. Escheat page 879,

Grounds or conditions for Escheat, Fn. 10 citing the U.S. Constitution Article 3 § 3, Bigelow v. Forrest, 9 Wall (US) 399, Miller v. United States (Page v. United States) 11 Wall (US) 268, to place the Common Law Liens/Writs of Attachment/Writs of Escheat on properties of the corrupt "agents" of the United States and the Agents of the International Monetary Fund/IRS. "The claim and exercise of a Constitutional Right cannot be converted into a crime." Miller v. U.S., 230 F. 2d 486, 489. Where rights secured by the Constitution are involved, there can be no rule (law) making legislation which would abrogate (abolish) them." Miranda v. Arizona, 348 U.S. 436. The State of Georgia adopted all the common laws of England as they existed at the time of the Constitution. Allen v. Allen, 260 Ga. 777 (1991). The filing of a non-frivolous lien against agents of the IRS is protected under the First Amendment to the U.S. Constitution. United States v. Reeves, 752 F. 2d 995 (11th Circuit). The Petitioner relied on the laws of the United States; the AUSA and the USA have refused to be any more than corrupt bullies, totally outside the law and terrorists. The total proceedings of the USA are a sham, and fraud designed to cover up the crimes of its supposedly-agents.

H - THE ELEVENTH CIRCUIT COURT OF APPEALS TOTALLY IGNORED THE PETITIONER'S APPEAL AND PERPETRATED A FRAUD FROM THE BENCH WHEN THE BIASED OFFICERS OF THE COURT REFUSED TO CHANGE VENUE OF THE CASE AND MADE A DETERMINATION THAT WAS WITHOUT MERIT, CONTRARY TO LAW AND FACT, ALL THE WHILE CONSPIRING TO CONCEAL, AID AND ABET THE CRIMINALITY OF MEMBERS OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA AND OTHER INDIVIDUALS IN THEIR EGREGIOUS EFFORTS TO OBSTRUCT JUSTICE.

The Petitioner filed many motions into the Eleventh Circuit; all that went ignored and denied. Due to the obvious bias of the Eleventh Circuit and its ongoing coverup of the criminal activities of its confederates below it, the Petitioner filed a Request to Change Venue. This request was denied as usual with one word. The Appeal Denial was a fraud, and obviously so. Silence can be equated with fraud when there is a moral duty to speak. U.S. v. Tweel, 550 F. 2d 297 (Fifth Cir. 1977 - Fifth Circuit was previous Eleventh Circuit). The fraud perpetrated from the bench is directly related to the charges made in the previous arguments (Section A-G, supra, which were made and totally ignored in order to hide and conceal the criminal acts of their confederates).

ARGUMENT II

II CAN COURT BE USED TO INDUCE PETITIONER INTO FURTHER CRIMINAL ACTIVITY?

Respondents and their agents/confederates removed thousands of pages of Petitioner's Court Record (1:93-CR-188) which was entered at the district court docket at entry 100 (Issue I-F supra covers this). Said pleadings were ordered by the court to be filed as evidence into the court. The court denied the Petitioner use of this evidence.

Pursuant to FRAP 10(c) the Respondents USA and its confederates admitted they were not in the due administration of justice when they failed to object to the Petitioner to Correct the Record filed into the court on August 22, 1994. Said proferred testimony of John Nelson, General Advocate Liaison of the Kingdom of Hawai'i was given in open court during the Petitioner's trial and no objection was given to anything that Nelson testified to, or questions were asked by the Attorney for the Respondent. Said silence to the testimony of John Nelson and lack of admission to it, is a waiver to objection and an open admission that what Nelson testified

to in court was accurate. Said records removed from the files by the United States Attorney's Office were documents supporting John Nelson's testimony as referenced in the transcript. (Referred to earlier in Argument I in detail.)

The following are what the Respondents have admitted to and which are supported in the missing records and also supported in case In Re Embassy Antiques (1:92-M-433 and its immediate progeny) if the United States Attorney's Office has also not had that record mutilated. Petitioner filed approximately 2500 pages that directly support in great detail his contentions. The Respondents have agreed that the following is the truth:

Teresa Ann Perrine [initial IRS Agent that entered the first perjured document into the court and started the instant case and its progenies] is an Agent of the IRS/International Monetary Fund who authored the perjured affidavit/gravaman ab initio is not an employee of the United States (admitted) but works for the Secretary of the Treasury/Governor of the World Bank/IMF, who by law is not paid by the United States; takes no oath to the CONSTITUTION pursuant to 5 U.S.C. 3331; is not answerable to anyone in violation of the CONSTITUTION of the United States for the United States, Article VI, ¶2, "This Constitution, and the laws of the United States which shall be made in pursuance thereof,...shall be the supreme Law of the Land,..."

Agent Teresa Ann Perrine and cohorts, acting under pretense as "U.S. OFFICERS," solicit and collect information (See Executive Orde: 1003, 22 U.S.C. 286 (f); 26 I.R.C. 6103 (k) (4)) contributions, money or other things of value for and interest of their foreign Principals, Organizations and Associations (See Public Law 102-391, 106 Stat. 1633 (Admitted). Petitioner qui tam has standing to challenge said activity. Flast v. Cohen, 392 U.S. 83, 1942. Prior to instituting the case in the Superior Court of Fulton County, E-1166, Petitioner Gray entered approximately 2500 pages of documentation/laws into case 1-92-M-433 into the District Court

of the U.S. for Northern Georgia before Joel Feldman, Commissioner/Magistrate (Said documentation being referenced in the initial complaint E-1166 at Count 12) said documents verifying the true partie(s) at interest, and unrebuttable proof of the ongoing criminal enterprise they were/are engaged in and further proof that our current Economic Emergency Doctrine codified at 12 U.S.C. § 95 (a); 50 U.S.C. § 5; 50 U.S.C. 1701-1706, was enforced under the doctrine of "John Locke," although completely twisted, contorted and misused, which is clearly state in the public record Senate Report 93-549, ("Emergency Powers Statute," 93rd Congress, 1st Session, "Introduction"), and added up to exactly to what WE THE PEOPLE had forbidden them to do: Dissolve the Government (ADMITTED), and placed it in the hands of a foreign prince (The International Monetary Fund - IMF)where all of our money is run through the IMF like water through a faucet [Legislative History, Public Law 98-818, p. 1977] has reduced us to an unsolvable financial dilemma [Id., p. 1961…[d]oes not have a mathematical solution; "debt is a black hole growing larger on the money it absorbs."] with the burden of their ageless plot and scheme falling squarely on the shoulders of WE THE PEOPLE.

The United States is a mere instrumentality of the International Monetary Fund [ADMITTED] and has no standing to assert itself in the issue that Petitioner brought before the Superior Court of Fulton County - Refer to Evidence produced in court in case 1-93-CR-188 "COMPLAINT" from court case E-1166 filed in Fulton County Superior Court (Gray qui tam the People of the State of Georgia v. Nicholas Brady, Governor of the International Monetary Fund). AUSA Amy Berne Kaminshine had no standing to file a pleading in the Superior Court of Fulton County entitled NOTICE OF REMOVAL operating without a foreign agent's registration. See Rabinowitz v. Kennedy, 376 U.S. 605 (Requirement that agent of foreign principal register with the United States Attorney General, under Provisions of Foreign Agents Regis-

tration Act of 1939 as amended (22 USC §§ 611 et seq.) Stanley v. Dominy, 196 Ga. 192 (1) (1943).

Respondent's attorney's employees and agents further knew that they were soliciting and collecting information, contributions, loans, money or other things of value for or in interest of foreign powers (Refer to Multilateral Economic Assistance Act of 1992, supra) in criminal violation of 18 §§ 219 which states:

> §219. OFFICER AND EMPLOYEES ACTING AS AGENTS AS FOREIGN PRINCIPALS
>
> Whoever, being an officer or employee of the United States in the executive, legislative, or judicial branch of the Government of in any agency of the United States, including the District of Columbia, is or acts as an agent of a foreign principal required to register under the Foreign Agents Registration Act of 1938, as amended, shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

and 951 which states:

> §951. AGENTS OF FOREIGN GOVERNMENTS
>
> Whoever, other than a diplomatic or consular officer or attaché, acts in the United States as an agent of a foreign government without prior notification to the Secretary of State, shall be fined not more than $5,000 or imprisoned not more than ten years, or both.

and are unauthorized to use public offices to commit criminal acts. U.S. vs. Claiborne, 727 F. 2d 842. U.S. District Court officers or employees could not entertain the improvidently removed cause as properly commenced in the State Court without further aiding, abetting, counseling, commanding and procuring this commission, furtherance and compounding of criminal acts. Respondent's attorneys after being duly informed of numerous unlawful and criminal acts by Petitioner and witnesses, and that it was quite apparent that the proce-

dures were not only NOT followed (See: Stallard v. United States, 806 F. Supp. 152 (1992)), but that the policy (See: United States vs. Panza, 381 F. Supp. 113 (1974)) and belief of Respondent's attorneys/agents is that their associations and combinations are wholly above the law and not subject to review by judicial power Courts of competent jurisdiction such as the Superior Court of Fulton County but attempted removal to the United States District Court for Northern Georgia where nothing will ever have to be addressed and Petitioner's cause can be summarily dismissed without ever even addressing the issue of jurisdiction. (See Mendaro vs. The World Bank, 717 F. 2d 610 (1983); Report No. 5, Truth in Criminal Justice Series, Report to the Attorney General, The Judiciary's Use of Supervisory Power to Control Federal Law Enforcement Activity, U.S. Department of Justice, "Conclusion").

No lawful nexus to the civil actions commenced by Petitioner qui tam could be established, and it is axiomatic that usurpation affords no one protection and has been considered "TREASON TO THE CONSTITUTION" (See: Cohen v. Virginia, 6 Wheat 264 (1821) nor can Respondent's agents and representatives claim their own infamy in support of their claims.

Respondent's were put on Judicial Notice that its quasi-judicial tribunals were under legal duty to rule on the merits of the cause pursuant to Public Law 88-633, 78 Stat. 1009. Part III, Chapter 1, Section 301 (c) (4), to wit:

"Notwithstanding any other provision of law, no court in the United States shall decline on the ground of the federal act of state doctrine to make a determination on the merits giving effect to the principles of international law in a case in which a claim of title or other right is asserted by any party, a foreign state (or traced through) a confiscation or other taking after January 1, 1969, by an act of state in violation of the principles of international law, including principles of compensation and other standards set out in this subsection." (see

also Hilton vs. Guyot, 159 U.S. 113)

Respondents have admitted to being involved in criminal activities, and not being involved in the due administration of justice.

The Respondents through their corrupt court systems, agents, and others have violated the Thirteenth Amendment's rights of the Petitioner to be free from slavery, all in an egregious effort to force the Petitioner into their unlawful activities, which are contrary to their oaths of offices, contrary to the Constitution and laws of the United States and the Laws of God; in an egregious act to force the Petitioner to become a party (through whatever legal or illegal means it takes) to their criminal acts of soliciting and collecting information, contributions, loans, and money or other things in interests of foreign powers which is contrary to the initial agreement that WE THE PEOPLE had when we formed the United States and placed its government under a limitation of power. Power corrupts, and absolute power corrupts absolutely.

Petitioner brings this question forth for determination by the one Supreme Court of the United States:

CAN THE COURT BE USED TO INDUCE PETITIONER INTO FURTHER CRIMINAL ACTIVITY?

CONCLUSION

"No right ranks higher than the accused to a fair trial." Press-Enterprises Co. v. Superior Court of California, 464 U.S. 501 at 508. This Petitioner's Writ of Common Law Certiorari in the Nature of a Criminal Complaint should be granted based on the outrageous criminal behavior of the Respondents and the courts duty to exercise its supervisor power over the courts below it, and in the interest of justice where the Petitioner qui tam is innocent and the victim of this tyranny. NOTICE is hereby given to all sitting members of the Supreme Court pursuant to 18 USC 4 [Misprision of Felony]; 42 USC 1983 (Violations of Civil Rights); 42 USC 1986 (Action for Failure or Neglect to Prevent) to do their duty as required by law.

The above is true and accurate to the best of the Petitioner's ability pursuant to 28 U.S.C. 1746 under his current impairment.

Charles Ronald., Gray
Private Attorney General
Qui Tam Georgia state
#43857-019 w/o prejudice
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Lakewood Station
Atlanta 15, Georgia zip exempt

APPENDIX A-1

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 94-8732
Non-Argument Calendar

D.C. Docket No. 1:93-CR-188-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CHARLES RONALD GRAY,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Georgia

(April 4, 1996)

Before TJOFLAT, Chief Judge,
DUBINA, and BLACK, Circuit Judges

PER CURIAM:

Appellant appeals his convictions on multiple counts of obstruction of justice and obstruction of the due administration of the internal revenue laws. He presents several claims of error. Among other things, appellant claims (1) that the district court lacked jurisdiction to try the charges contained in the indictment; (2) that the indictment is invalid; (3) that the court improperly limited his presentation of evidence, denied him the right to testify, and shifted the burden of proof from the prosecution to the defense; and (4) that the district court's instructions to the jury infringed his substantial rights. None has merit; none is worthy of discussion. Appellant's convictions are, therefore,

AFFIRMED.

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* The portions of the trial transcript necessary for us to review claim (3) were not included in the record on appeal. Appellant has the duty of including in the record on appeal a transcript of all proceedings relevant to his claims of error. See Fed. R. App. P. 10(b) (1), (b) (2); 11th Cir. R. 10-1. His failure to discharge this duty constitutes a waiver of claim (3). See United States v. Wilson, 904 F. 2d 656, 659 (11th Cir. 1990), cert. denied, 502 U.S. 889 (1991).

APPENDIX A-2

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 94-8732

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

versus

CHARLES RONALD GRAY,
Defendant-Appellant.

On Appeal from the United States District Court for the
Northern District of Georgia

ON PETITION(S) FOR REHEARING AND
SUGGESTION(S) OF REHEARING EN BANC
(Opinion_____, 11th Cir., 19___, _____F.2d_____),

Before: TJOFLAT, Chief Judge, DUBINA and BLACK, Circuit Judges.

PER CURIAM:

The Petition(s) for Rehearing are DENIED and no member of this panel nor other Judge in regular active service on the Court having requested that the Court be polled on rehearing en banc (Rule 35, Federal Rules of Appellate Procedure; Eleventh Circuit Rule 35-5), the Suggestion(s) of Rehearing En Banc are DENIED.

ENTERED FOR THE COURT:

s/Tjoflat

UNITED STATES CIRCUIT JUDGE

ORD-42
(6/95)